

the same time any other office or position of honor, trust or profit, under this State or the United States, or from voting at any election, general, special or primary in this State when otherwise qualified. State employees or other individuals who receive all or part of their compensation either directly or indirectly from funds of the State of Texas and who are not State officers, shall not be barred from serving as members of the governing bodies of school districts, cities, towns, or other local governmental districts; provided, however, that such State employees or other individuals shall receive no salary for serving as members of such governing bodies. *A person may hold the position of Municipal Court Judge in more than one municipality.* It is further provided that a nonelective State officer may hold other nonelective offices under the State or the United States, if the other office is of benefit to the State of Texas or is required by the State or Federal law, and there is no conflict with the original office for which he receives salary or compensation. No member of the Legislature of this State may hold any other office or position of profit under this State, or the United States, except as a notary public if qualified by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 4, 1997. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow a person who holds the office of municipal court judge to hold at the same time more than one civil office for which the person receives compensation."

Adopted by the Senate on April 9, 1997: Yeas 31, Nays 0; the Senate concurred in House amendment on April 23, 1997: Yeas 31, Nays 0; adopted by the House, with amendment, on April 21, 1997: Yeas 120, Nays 16, one present not voting. Filed with the Secretary of State April 26, 1997.

S.J.R. No. 39

SENATE JOINT RESOLUTION

proposing a constitutional amendment allowing the Texas growth fund to continue to invest in businesses without requiring those businesses to disclose investments in South Africa or Namibia.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (r), Section 70, Article XVI, of the Texas Constitution is repealed.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment allowing the Texas growth fund to continue to invest in businesses without requiring those businesses to disclose investments in South Africa or Namibia."

Adopted by the Senate on April 14, 1997: Yeas 30, Nays 0; adopted by the House on May 21, 1997: Yeas 140, Nays 1, two present not voting.

Filed with the Secretary of State May 28, 1997.

S.J.R. No. 43

SENATE JOINT RESOLUTION

proposing a constitutional amendment providing for limitations on increases in the appraised value of residence homesteads for ad valorem taxation and for the transfer to a different residence homestead of the school property tax freeze on residence homesteads of the elderly and their spouses.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1

SECTION 1.01. The constitutional amendment proposed by this article shall be submitted to the voters only if the constitutional amendment proposed by H.J.R. No. 4, Acts of the 75th Legislature, Regular Session, 1997, is approved by the voters.

SECTION 1.02. Section 1, Article VIII, Texas Constitution, is amended by adding Subsection (i) to read as follows:

(i) Notwithstanding Subsections (a) and (b) of this section, the Legislature by general law may limit the maximum average annual percentage increase in the appraised value of residence homesteads for ad valorem tax purposes to 10 percent, or a greater percentage, for each year since the most recent tax appraisal. A limitation on appraisal increases authorized by this subsection:

(1) takes effect as to a residence homestead on the later of the effective date of the law imposing the limitation or January 1 of the tax year following the first tax year the owner qualifies the property for an exemption under Section 1-b of this article; and

(2) expires on January 1 of the first tax year that neither the owner of the property when the limitation took effect nor the owner's spouse or surviving spouse qualifies for an exemption under Section 1-b of this article.

SECTION 1.03. Section 1-b, Article VIII, Texas Constitution, is amended by adding Subsection (g) to read as follows:

(g) If the legislature provides for the transfer of all or a proportionate amount of a tax limitation provided by Subsection (d) of this section for a person who qualifies for the limitation and subsequently establishes a different residence homestead, the legislature by general law may authorize the governing body of a school district to elect to apply the law providing for the transfer of the tax limitation to a change of a person's residence homestead that occurred before that law took effect, subject to any restrictions provided by general law. The transfer of the limitation may apply only to taxes imposed in a tax year that begins after the tax year in which the election is made.

SECTION 1.04. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to limit increases in the appraised value of residence homesteads for ad valorem taxation and to permit a school district to calculate the school property tax freeze applicable to the residence homestead of an elderly person or the surviving spouse of an elderly person in accordance with the law authorizing the transfer of the school property tax freeze to a different homestead regardless of whether that law was in effect at the time the person established the person's homestead."

ARTICLE 2

SECTION 2.01. The constitutional amendment proposed by this article shall be submitted to the voters only if the constitutional amendment proposed by H.J.R. No. 4, Acts of the 75th Legislature, Regular Session, 1997, is not approved by the voters.

SECTION 2.02. Section 1, Article VIII, Texas Constitution, is amended by adding Subsection (l) to read as follows:

(i) Notwithstanding Subsections (a) and (b) of this section, the Legislature by general law may limit the maximum average annual percentage increase in the appraised value of residence homesteads for ad valorem tax purposes to 10 percent, or a greater percentage, for each year since the most recent tax appraisal. A limitation on appraisal increases authorized by this subsection:

(1) takes effect as to a residence homestead on the later of the effective date of the law imposing the limitation or January 1 of the tax year following the first tax year the owner qualifies the property for an exemption under Section 1-b of this article; and

(2) expires on January 1 of the first tax year that neither the owner of the property when the limitation took effect nor the owner's spouse or surviving spouse qualifies for an exemption under Section 1-b of this article.

SECTION 2.03. Section 1-b, Article VIII, Texas Constitution, is amended by amending Subsection (d) and adding Subsection (g) to read as follows:

(d) Except as otherwise provided by this subsection, if a person receives the residence homestead exemption prescribed by Subsection (c) of this section for homesteads of persons sixty-five (65) years of age or older, the total amount of ad valorem taxes imposed on that

homestead for general elementary and secondary public school purposes may not be increased while it remains the residence homestead of that person or that person's spouse who receives the exemption. If a person sixty-five (65) years of age or older dies in a year in which the person received the exemption, the total amount of ad valorem taxes imposed on the homestead for general elementary and secondary public school purposes may not be increased while it remains the residence homestead of that person's surviving spouse if the spouse is fifty-five (55) years of age or older at the time of the person's death, subject to any exceptions provided by general law. *The legislature, by general law, may provide for the transfer of all or a proportionate amount of a limitation provided by this subsection for a person who qualifies for the limitation and establishes a different residence homestead.* However, taxes otherwise limited by this subsection may be increased to the extent the value of the homestead is increased by improvements other than repairs or improvements made to comply with governmental requirements and except as may be consistent with the transfer of a limitation under this subsection.

(g) If the legislature provides for the transfer of all or a proportionate amount of a tax limitation provided by Subsection (d) of this section for a person who qualifies for the limitation and subsequently establishes a different residence homestead, the legislature by general law may authorize the governing body of a school district to elect to apply the law providing for the transfer of the tax limitation to a change of a person's residence homestead that occurred before that law took effect, subject to any restrictions provided by general law. The transfer of the limitation may apply only to taxes imposed in a tax year that begins after the tax year in which the election is made.

SECTION 2.04. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to limit increases in the appraised value of residence homesteads for ad valorem taxation and to permit an elderly person or the surviving spouse of an elderly person to transfer the school property tax freeze on the person's residence homestead to a different residence homestead."

Adopted by the Senate on April 22, 1997: Yeas 30, Nays 0; May 28, 1997, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 29, 1997, House granted request of the Senate; June 1, 1997, Senate adopted Conference Committee Report: Yeas 26, Nays 0; adopted by the House, with amendments, on May 22, 1997: Yeas 144, Nays 0, one present not voting; May 29, 1997, House granted request of the Senate for appointment of Conference Committee; June 1, 1997, House adopted Conference Committee Report: Yeas 143, Nays 0, one present not voting.

Filed with the Secretary of State June 4, 1997.

S.J.R. No. 45

SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to permit a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 1-m to read as follows:

Sec. 1-m. The legislature by general law may authorize a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to permit a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented."